

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA, ex rel.,
and
William L. Fry
113 Garloch Drive
Erie, PA 16505,

Plaintiffs,

V.

FIRST INVESTMENT COMPANY OF
COLUMBUS, OHIO,

Defendant.

) CIVIL ACTION NO: 1:04-CV-00316
)
) JUDGE SEAN J. MCLAUGHLIN
)
)
)
) **CONSENTED TO MOTION FOR**
) **EXTENSION OF TIME TO FILE A**
) **RESPONSE TO PLAINTIFF'S FIRST**
) **AMENDED COMPLAINT**
)
)
)
) Filed on Behalf of Defendants:
)
) **FIRST INVESTMENT COMPANY OF**
) **COLUMBUS, OHIO**
)
) Counsel of record for party:
) JENNIFER E. WATSON
) PA I.D. #78664
)
) WILBRAHAM, LAWLER & BUBA
) 603 Stanwix Street
) Two Gateway Center, 17 North
) Pittsburgh, PA 15222
) (412) 255-0500
)

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA, <u>ex rel.</u> ,)	
and)	
William L. Fry)	CIVIL ACTION NO: 1:04-CV-00316
113 Garloch Drive)	
Erie, PA 16505,)	JUDGE SEAN J. MCLAUGHLIN
)	
Plaintiffs,)	
)	
v.)	
)	
FIRST INVESTMENT COMPANY OF)	
COLUMBUS, OHIO,)	
)	
Defendant.)	

**CONSENTED TO MOTION FOR EXTENSION OF TIME TO FILE A
RESPONSE TO PLAINTIFF'S FIRST AMENDED COMPLAINT**

AND NOW, comes the Defendant, First Investment Company of Columbus, Ohio, an Ohio Corporation, by and through its counsel, Jennifer E. Watson, Esq. and Wilbraham Lawler & Buba, and files the following Consented to Motion for Extension of Time to File a Response to Plaintiff's First Amended Complaint:

1. Plaintiffs filed a complaint in the United States District Court for the Western District of Pennsylvania on or about October 27, 2004.
2. The complaint alleges that Defendant made false claims in violation of the False Claim Act, 31 U.S.C. § 3729.
3. Defendant, First Investment Company of Columbus, Ohio, moved to dismiss Plaintiff's complaint on October 27, 2006 pursuant to Federal Rules of Civil Procedure 12(b)(1), 12(b)(6), and 9(b).

5. Subsequently, on January 16, 2007, Plaintiff filed a First Amended Complaint for Monetary Damages and Other Relief under the False Claim Act.

7. Under the Federal Rules of Civil Procedure, Defendant is required to file a response to Plaintiff's First Amended Complaint on January 26, 2007.

8. However, Counsel for Defendant has been in contact with Plaintiff's counsel regarding an additional 30-day extension for Defendant's response.

7. Counsel for Defendant sent a letter to Plaintiff's counsel acknowledging this extension of time for Defendant to file a response.

8. Plaintiff's counsel does not oppose Defendant's motion for an extension of time. (See letter from Plaintiff's counsel, attached hereto as "Exhibit A".)

9. As such, Defendant requests this Honorable Court to grant an extension of time until March 1, 2007 for Defendant, First Investment Company of Columbus, Ohio, to file a response to Plaintiff's First Amended Complaint for Monetary Damages and Other Relief under the False Claim Act.

WHEREFORE, this Defendant respectfully requests that this Honorable Court grant an extension until March 1, 2007 for Defendant, First Investment Company of Columbus, Ohio, to file a response to Plaintiff's First Amended Complaint for Monetary Damages and Other Relief under the False Claim Act.

Respectfully submitted,

/s/ Jennifer E. Watson
Jennifer E. Watson, Esquire
PA I.D. #78664
WILBRAHAM, LAWLER & BUBA
603 Stanwix Street
Two Gateway Center, 17 North
Pittsburgh, PA 15222
(412) 255-0500

Counsel for Defendants:
**First Investment Company of Columbus,
Ohio**

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the within CONSENTED TO MOTION FOR EXTENSION OF TIME TO FILE A RESPONSE TO PLAINTIFF'S FIRST AMENDED COMPLAINT upon:

Malcolm L. Pollard, Esquire
4845 Westlake Road #119
Erie, PA 16505

on this 25th day of January 2007.

/s/ Jennifer E. Watson

Jennifer E. Watson